

jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; stef@breedinglaw.com; shelley@breedinglaw.com; Reppert, Paige <PREppert@LewisThomason.com>; Wheeler, Virginia K. <VWheeler@LewisThomason.com>

Subject: Re: Proposed Joint Motion to Extend Deadlines

I agree with John.

Hope everyone has a nice weekend,

Chris

Sent from my iPhone

Direct Line: (865) 541-5256

On Oct 23, 2020, at 9:15 AM, John Lawhorn <jlawhorn@fmsllp.com> wrote:

Counsel:

I am fine with the proposed motion, provided it deletes paragraph 6. I never agreed to a 60 day extension of deadlines nor a July trial date. My issue is not with a July trial date in general. It is that until the Court grants the pending motion to amend I cannot *even initiate* the written discovery I need respecting the significant number of new allegations in it. We therefore first need to the Court to do that, or at least tell us when it expects to get around to entering an order.

As a practical matter, if the Court grants the motion, it is extremely unlikely it will have available trial dates in July. We are much better off simply asking the Court to set a new Scheduling Conference, let Judge McDonough know the issues with which we are needing assistance and let him direct us from there.

Let's therefore file the motion without paragraph 6 and just let Judge McDonough tell us what is available on his calendar.

John M. Lawhorn *Attorney*



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37901
phone: 865.546.9321 | fax: 865.637.5249 | email: jlawhorn@fmsllp.com

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From: adam@breedinglaw.com <adam@breedinglaw.com>

Sent: Tuesday, October 20, 2020 12:30 PM

To: John Lawhorn <jlawhorn@fmsllp.com>; Elam, Caitlyn L. <CElam@LewisThomason.com>; jimmy@breedinglaw.com

Cc: McCarty, Chris W. <CMcCarty@LewisThomason.com>; matthew@breedinglaw.com; joy@breedinglaw.com; stef@breedinglaw.com; shelley@breedinglaw.com; Reppert, Paige <PREppert@LewisThomason.com>; Wheeler, Virginia K. <VWheeler@LewisThomason.com>

Subject: RE: Proposed Joint Motion to Extend Deadlines

John and Caitlyn,

In light of your emails, we have revised the proposed Joint Motion to Extend Deadlines, which is now styled a Joint Motion for Scheduling Conference. Per John's email, it is now a request for the Court to simply conduct a scheduling conference to revise the current scheduling order. Per Caitlyn's email, it also suggests an extension of all dates, including trial.

After you have reviewed, please let us know if you approve and if we have permission to sign your name and file.

Best,

Adam

Adam R. Duggan
Associate

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
adam@breedinglaw.com

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